

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CLIFFORD BRODSKY,)
Petitioner,) No. C 08-1218 CRB (PR)
vs.) No. C 08-1574 CRB (PR)
B. CURRY, Warden,) ORDER
Respondent.)
_____)

On February 29, 2008, petitioner filed a pro se petition for writ of habeas corpus under 28 U.S.C. § 2254 challenging the California Board of Parole Hearings' ("BPH") November 6, 2006 decision to deny him parole. It was assigned civil case number 08-1218 CRB (PR). The court informed petitioner in writing on that same date that the case was deficient because he had not paid the requisite \$5.00 filing fee or filed an application to proceed in forma pauperis under 28 U.S.C. § 1915.

On March 21, 2008, petitioner filed another pro se petition for a writ of habeas corpus under 28 U.S.C. § 2254 challenging the BPH's November 6, 2006 decision to deny him parole. Petitioner prefaced the petition with a note explaining that he had submitted the petition earlier, but was not sure if it had been filed. The new petition was assigned civil case number 08-1574 CRB (PR) and, as before, the court informed petitioner in writing that the case was deficient because he had not paid the requisite \$5.00 filing fee or filed an application to proceed in forma pauperis under 28 U.S.C. § 1915.

1 Petitioner has since paid the requisite filing fee in civil case number 08-
2 1574 CRB (PR). All future filing with respect to petitioner's habeas challenge to
3 the BPH's November 6, 2006 decision shall be in civil case number 08-1574 CRB
4 (PR) only. The clerk is instructed to close civil case number 08-1218 CRB (PR)
5 as duplicative and improvidently opened.

6 An order on the merits of civil case number 08-1574 CRB (PR) will issue
7 shortly.

8 SO ORDERED.

9 DATED: April 9, 2008


CHARLES R. BREYER
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

CLIFFORD BRODSKY,

Case Number: CV08-01218 CRB

Plaintiff,

CV08-01574 CRB

v.

CERTIFICATE OF SERVICE

B. CURRY, Warden,

Defendant.

/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on April 9, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Clifford Brodsky H-07665
CTF Soledad
P.O. Box 689
Soledad, CA 93960-0689

Dated: April 9, 2008

Richard W. Wiekking, Clerk
By: Barbara Espinoza, Deputy Clerk